IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.4780 of 2003

Between:

P.Annapurna, W/o.P.Appa Rao, Aged about 40 years, House Wife, R/o.D.No.1-78, Kothapalem Village, Near Water Tank, Gopalapatnam Post, Visakhapatnam District.

...PETITIONER

AND

1.The District Collector, Visakhapatnam.
2.The Joint Collector, Visakhapatnam.
3.The Special Tahsildar (Land Acquisition), Revenue Division, Visakhapatnam.

4.The Chairman, Visakhapatnam Port Trust, Visakhapatnam.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction in the nature of Mandamus declaring the inaction of the respondents 1, 2 and 3 in not disposing off the representation dated 21-4-2001 as arbitrary, illegal and violative of the Constitutional right guaranteed to the petitioner under Article 300A of the Constitution of India and issue a consequential direction to respondents 2 and 3 to pass orders on the representation made by the petitioner and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.C.V.MOHAN REDDY

Counsel for the Respondent No.4: MR.K.SRINIVASAMURTHY ,

Counsel for the Respondent Nos.1 to 3: G.P. for Land acquisition.

The Court made the following:

ORDER:

The petitioner claims to have purchased an extent of Acs.2.24 cents of land in Survey No.275/1C of Adavivaram Village in Visakhapatnam from one Smt.Neelagiri Ramayamma, W/o.Late Ramanaiah. It is her case that her land was utilized for construction of quarters for the staff of Central Industrial Security Force, without following due process of law. She made a representation to the District Collector on 21.04.2001, in vain. Therefore, she filed the present Writ Petition seeking a direction to the first respondent to dispose of her representation.

The Writ Petition was admitted by this Court on 20.03.2003 and notice was issued. Today when the matter was called at interlocutory stage, learned counsel Sri B.Sri Hari submits that the Special Tahsildar (Land Acquisition), Revenue Division, Visakhapatnam (hereafter called 'the Special Tahsildar') has addressed a letter to the petitioner, after considering the representation of the petitioner, informing that her land in Survey No.275/1C was not acquired. Learned counsel also submits that when the Special Tahsildar conducted the inspection, by mistake, the petitioner could not properly show the land which was actually acquired and has shown some other land, which was under the protection of Visakhapatnam Port Trust. Therefore, the petitioner prays for liberty to avail appropriate remedy challenging the letter dated 11.09.2003 send by the Special Tahsildar.

Having regard to the petitioner's representation and the orders passed by the Special Tahsildar, no further orders need be passed in the Writ Petition. The Writ Petition, with the above observations, is dismissed. It is however open to the petitioner to avail other appropriate remedy.

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(V.V.S.RAO, J)

20th July 2004

RRB

Copies To:

1.The District Collector, Visakhapatnam.
2.The Joint Collector, Visakhapatnam.
3.The Special Tahsildar (Land Acquisition), Revenue Division, Visakhapatnam.

4.The Chairman, Visakhapatnam Port Trust, Visakhapatnam.

5.Two CCs to G.P. for Land Acquisition, High Court Buildings, Hyderabad (OUT).

6.Two CD copies.